



FAIRFAX COUNTY

DP2

OFFICE OF THE CLERK
BOARD OF SUPERVISORS
12000 Government Center Parkway, Suite 533
Fairfax, Virginia 22035-0072

V I R G I N I A

Telephone: 703-324-3151

FAX: 703-324-3926

TTY: 703-324-3903

November 12, 1999

Sarah E. Hall, Esquire
Blankingship and Keith, PC
4020 University Drive – Suite 312
Fairfax, Virginia 22030

RE: Rezoning Application
Number RZ 1999-BR-050

Dear Ms. Hall:

Enclosed you will find a copy of an Ordinance adopted by the Board of Supervisors at a regular meeting held on October 25, 1999, granting Rezoning Application Number RZ 1999-BR-050 in the name of Virginia Concrete Company, Incorporated, to rezone certain property in the Braddock District from the R-1 and I-6 Districts to the I-6 District subject to the proffers dated October 11, 1999, on subject parcel 77-3 ((1)) 11, consisting of approximately 9.30 acres.

The Board also modified the location of the required barrier.

Sincerely,

Nancy Vekrs
Clerk to the Board of Supervisors

NV/ns

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium in the Government Center at Fairfax, Virginia, on the 25th day of October, 1999, the following ordinance was adopted:

AN ORDINANCE AMENDING THE ZONING ORDINANCE
PROPOSAL NUMBER RZ 1999-BR-050

WHEREAS, Virginia Concrete Company, Incorporated filed in the proper form an application requesting the zoning of a certain parcel of land herein after described, from the R-1 and I-6 Districts to the I-6 District, and

WHEREAS, at a duly called public hearing the Planning Commission considered the application and the propriety of amending the Zoning Ordinance in accordance therewith, and thereafter did submit to this Board its recommendation, and

WHEREAS, this Board has today held a duly called public hearing and after due consideration of the reports, recommendation, testimony and facts pertinent to the proposed amendment, the Board is of the opinion that the Ordinance should be amended,

NOW, THEREFORE, BE IT ORDAINED, that that certain parcel of land situated in the Braddock District, and more particularly described as follows (see attached legal description):

Be, and hereby is, zoned to the I-6 District, and said property is subject to the use regulations of said I-6 District and further restricted by the conditions proffered and accepted pursuant to Va. Code Ann., §15.2-2303(a), which conditions are in addition to the Zoning Ordinance regulations applicable to said parcel, and

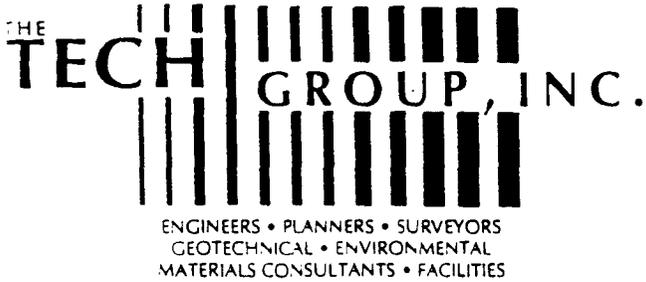
BE IT FURTHER ENACTED, that the boundaries of the Zoning Map heretofore adopted as a part of the Zoning Ordinance be, and they hereby are, amended in accordance with this enactment, and that said zoning map shall annotate and incorporate by reference the additional conditions governing said parcel.

GIVEN under my hand this 25th day of October, 1999.



Nancy Velts

Clerk to the Board of Supervisors



RECEIVED
DEPARTMENT OF PLANNING AND ZONING

3016 Williams Drive
Suite 11
Fairfax
Virginia 22031
(703) 698-1600
(Fax) (703) 698-4387

JUL 16 1999

ZONING EVALUATION DIVISION

**Description of a Portion of the Land of
Virginia Concrete Company, Inc.
Springfield District
Fairfax County, Virginia**

Corporate Office
147 Old Solomons Island Road
Fourth Floor
Annapolis
Maryland 21401
(410) 266-3033
(301) 261-8799
(800) 266-6202
(Fax) (410) 266-7407

Beginning at a point in the northerly line of Fairfax County Parkway (Route #7100), said point also being in the westerly line of the land now or formerly Young, and running thence with the said line of Fairfax County Parkway (Route #7100) the following courses and distances:

67 Kettering Drive
Upper Marlboro
Maryland 20772
(301) 336-5034
(Fax) (301) 336-1907

N 86°58'21" W, 211.24 feet;
N 84°38'47" W, 305.34 feet; and

With the arc of a curve to the right whose radius is 1817.86 feet, and whose chord bearing and chord are N 84°31'32" W and 79.71 feet, respectively, a distance of 79.71 feet to a point in the easterly line of the land now or formerly B. W. Management;

9605 West 49th Avenue
Wheat Ridge
Colorado 80033
(303) 420-5020
(800) 420-5020
(Fax) (303) 425-5671

thence with the said line of B. W. Management N 09°44'12" W, 389.41 feet to a point in the southerly line of Parcel "N", Section 20, Burke Centre;

thence with the said line of Parcel "N", Section 20, Burke Centre N 54°32'28" E, 792.58 feet to a point in the westerly line of the land now or formerly Board of Supervisors, Fairfax County;

2001 Tidewater Colony Drive
Suite 101
Annapolis
Maryland 21401
(410) 266-1157
(301) 970-2609
(Fax) (410) 266-1592

thence with the said line of the Fairfax County Board of Supervisors and continued with the aforesaid westerly line of Young, S 00°56'12" E, 890.96 feet to the beginning

Containing 405,106 Square Feet or 9.3000 acres.

RECEIVED
DEPARTMENT OF PLANNING AND ZONING

OCT 19 1999

RZ 1999-BR-050
Virginia Concrete Company, Inc.
October 11, 1999

ZONING EVALUATION DIVISION

PROFFERS

Pursuant to Section 15.2-2303A of the Code of Virginia, 1950, as amended, the undersigned proffers the following conditions provided the Board of Supervisors rezones the Subject Property to the I-6 District as proffered. For the purposes of these proffers, the term "Applicant" refers to Virginia Concrete Company, Inc., its successors and assigns. The term "Subject Property" refers to the 9.3 acre property that is the subject of RZ 1999-BR-050.

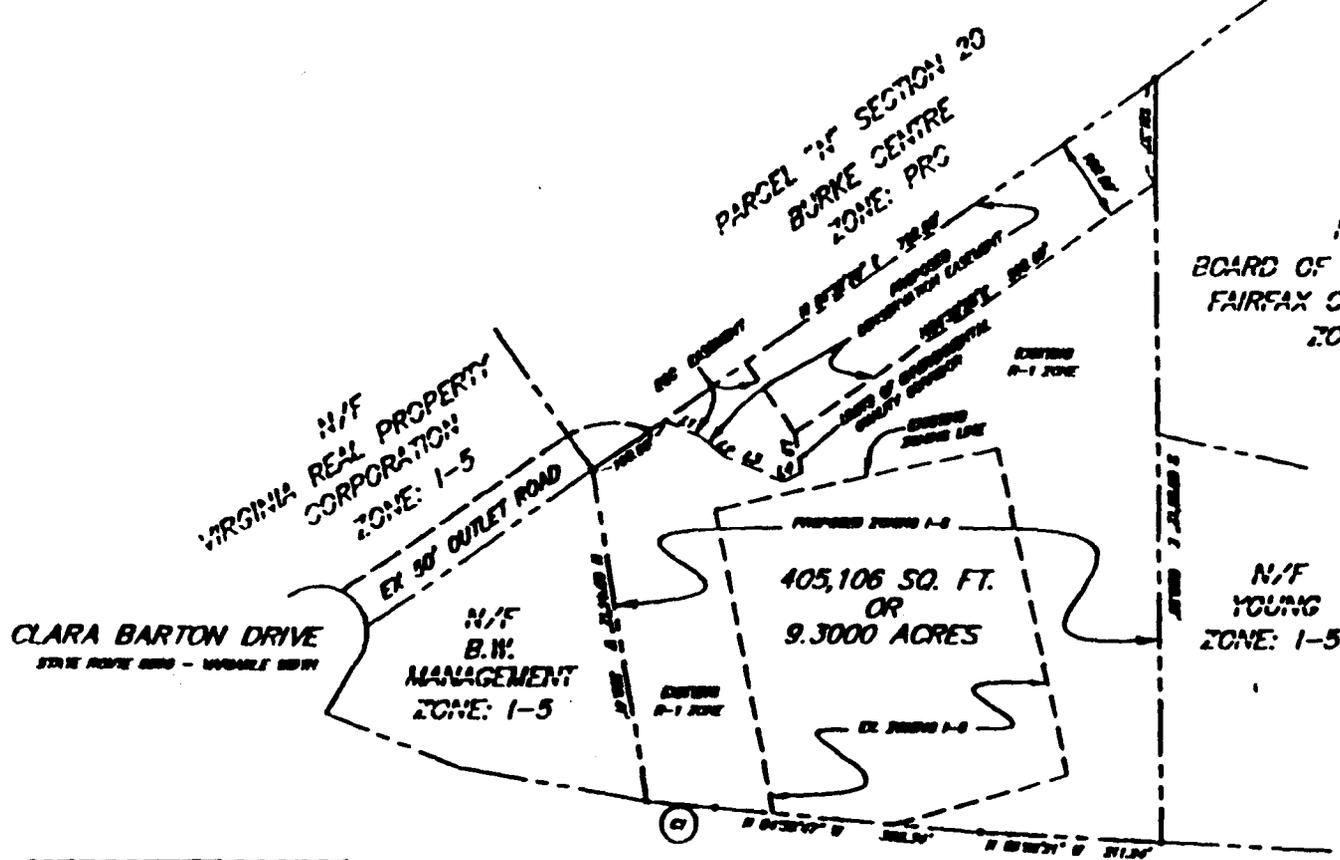
1. Within three months of the rezoning of the Subject Property to the I-6 District, Applicant shall grant to the Board of Supervisors of Fairfax County, Virginia a Conservation Easement across that area of the Subject Property identified as "Proposed Conservation Easement" on the Zoning Plat prepared by The Tech Group, Inc. dated September 8, 1999 ("Zoning Plat"), which is attached hereto as Exhibit A.

2. Until an appropriate proffered condition amendment is granted by the Board of Supervisors, the Applicant shall not further develop nor shall it remove trees (other than dead or diseased trees) from that portion of the Subject Property shown on the Zoning Plat attached hereto as Exhibit A as lying in the R-1 District immediately prior to the rezoning of the entire Subject Property to the I-6 District.

3. The Subject Property shall not be developed with any of the following uses:

(a) Bus or railroad terminals, car barns, garages, storage and inspection yards, railroad switching and classification yards, and railroad car and locomotive repair shops, but specifically excluding WMATA facilities set forth as a Category 4 special exception use.

(b) Crematory, human or animal.



N/F
 BOARD OF SUPERVISORS
 FAIRFAX COUNTY, VIRGINIA
 ZONE: 1-5

ZONING AREAS

EXISTING I-5 ZONE	15,000 SQ FT	OR	0.34 ACRES
EXISTING R-1 ZONE	37,500 SQ FT	OR	0.86 ACRES

N/F
 YOUNG
 ZONE: 1-5

NOTES

1. THE PROPERTY DELINEATED HEREON OR IS LOCATED ON FAIRFAX COUNTY S&M MAP 77-1112D PARCEL 11.
2. NO SITE REPORT FURNISHED.
3. THE OWNER OF THE PROPERTY IS SHOWN IN THE MAP OF VIRGINIA CONCRETE COMPANY INC. RECORDED IN DEED BOOK 3880 AT PAGE 038.

LINE SCHEDULE

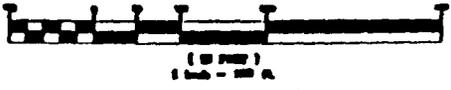
LINE	LENGTH	BEARING
1	21.74	S89°57'11" W
2	31.17	S89°57'11" W
3	21.74	S89°57'11" W
4	31.17	S89°57'11" W

ADJACENT PROPERTIES

OWNER	ADDRESS	AREA	BEARING	LENGTH	BEARING	LENGTH	BEARING
CT	100' 0"	100' 0"	N 71° 30' 0" W	100' 0"	N 71° 30' 0" W	100' 0"	N 71° 30' 0" W

FAIRFAX COUNTY PARKWAY
 STATE ROUTE 700 - VARIABLE WIDTH

GRAPHIC SCALE

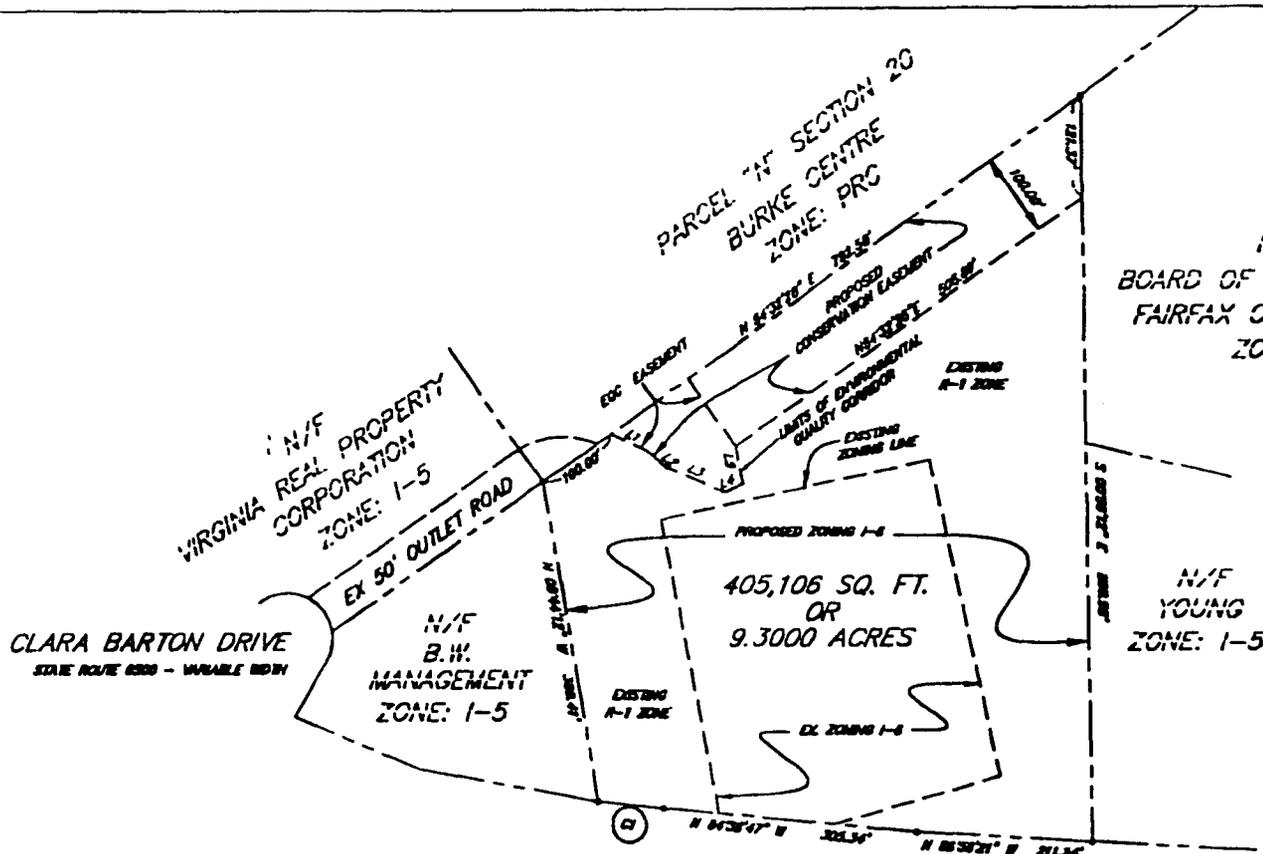


TEC CONSULTING INC.
 Local Planning Consultant
 1000 W. MARKET ST. SUITE 200
 FARMERS BURKE VA 22031
 TEL: (703) 426-1000 FAX: (703) 426-1001

SCALE: 1" = 100'
 DATE: 08/28/00
 PROJECT: BRIDGE
 DRAWN BY: JH
 CHECKED BY: HLC



ZONING PLAT
 VIRGINIA CONCRETE COMPANY INC.
 SPRINGFIELD DISTRICT
 FAIRFAX COUNTY, VIRGINIA



N/F
BOARD OF SUPERVISORS
FAIRFAX COUNTY, VIRGINIA
ZONE: 1-5

N/F
YOUNG
ZONE: 1-5

ZONING AREAS

EXISTING I-5 ZONE	12,889 SQ FT	OR	0.29 ACRES
EXISTING R-1 ZONE	32,508 SQ FT	OR	0.74 ACRES

PROPOSED ZONING I-5
405,106 SQ. FT.
OR
9.3000 ACRES

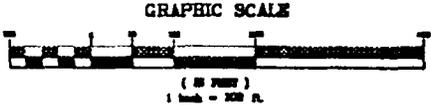
FAIRFAX COUNTY PARKWAY
STATE ROUTE 7100 - VARIABLE WIDTH

LINE	LENGTH	BEARING
L1	48.70	S89°20'0"E
L2	38.30	S47°30'0"E
L3	78.10	S89°13'0"E
L4	38.00	N89°20'0"E
L5	47.30	N89°20'0"E

CURVE	DELTA	ANGLE	ARC	TANGENT	CHORD	CHORD BEARING
C1	92.30°	180.00	78.71	38.88	78.71	N 89°20' 0"

NOTES

1. THE PROPERTY DELINEATED HEREON ON IS LOCATED ON FAIRFAX COUNTY TAX MAP: 77-3(TU) PARCEL 11.
2. NO TITLE REPORT FURNISHED.
3. THE OWNER OF THE PROPERTY IS NOW IN THE NAME OF VIRGINIA CONCRETE COMPANY INC. RECORDED IN DEED BOOK 3885 AT PAGE 632.



TECH GROUP, INC.
Land Planning Consultants
2400 BELLE MEAD DRIVE FARMERS BRANCH, VIRGINIA 22029
TEL: (703) 625-1222 FAX: (703) 625-1223

SCALE: 1" = 100'
DATE: SEPT. 4, 1988
PROJECT: 880133
DRAWN BY: NJ
CHECKED BY: HLC



ZONING PLAT
VIRGINIA CONCRETE COMPANY INC.
SPRINGFIELD DISTRICT
FAIRFAX COUNTY, VIRGINIA

F A I R F A X C O U N T Y

BOARD OF SUPERVISORS ACTION
ZONING MAP AMENDMENT
DATE OF ACTION 10/25/99

APPLICATION NUMBER: RZ 99-B-050 BRADDOCK DISTRICT
APPLICANT: VIRGINIA CONCRETE COMPANY INC
STAFF: SWAGLER

APPLICATION DATA

EXISTING ZONING AND ACREAGE

ZONING: R- 1
ACRES: 9.30

PROPOSED: ACTION:
I- 6 I- 6
9.30 9.30

TOTAL ACRES TOTAL ACRES
9.30 9.30

MAP NUMBERS

077-3- /01/ /0011-

REMARKS:

ZONING MAP AMENDMENT

RZ 99-B-050

ZONING DISTRICT DATA

ZONING DISTRICT: I- 6

PROFFERED/CONDITIONED DWELLING UNIT DATA

TYPES	UNITS	ACRES	DENSITY	RANGE	LOMOD INCL	LOMOD ADD
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PROFFERED/CONDITIONED NON-RESIDENTIAL GROSS FLOOR AREAS

USE	GFA	FAR	USE	GFA	FAR
-----	-----	-----	-----	-----	-----

COMMERICAL-GEN			PUBLIC/QUASI PUB		
HOTEL/MOTEL			OFFICE		
INDUSTRIAL-GEN	1,240		TRAN-UTIL-COMM		
CULT/EDU/RELG/ENT			RETAIL-EATING EST		
INDUST-WAREHOUSE			*****TOTAL*****	1,240	

REMARKS:

ZONING MAP AMENDMENT

RZ 99-B-050

CONDITION/CONTRIBUTION DATA

COND CODE DESCRIPTION	COND CODE DESCRIPTION
4B TREES/COUNTY ARBORIST	4Z OTHER - ENVIRONMENT
2B USE RESTRICTION	7A OTHER MISCELLANEOUS - SEE FILE

CONTRIB DATA:	CND CODE	AMOUNT	CONDITIONED	EXPIRES	CONTRIB CODE
		\$0		00/00/00	
		\$0		00/00/00	
		\$0		00/00/00	
		\$0		00/00/00	

REMARKS:

MODIFY LOCATION OF REQUIRED BARRIER



COUNTY OF FAIRFAX

4100 CHAIN BRIDGE ROAD
FAIRFAX, VIRGINIA 22030

APPENDIX



May 19, 1980

Mr. Michael J. Giguere
c/o Boothe, Prichard & Dudley
4103 Chain Bridge Road
Fairfax, Virginia 22030

Re: Special Exception
Number 80-S-023

Dear Mr. Giguere:

At a regular meeting of the Board of Supervisors held on May 12, 1980, the Board approved Special Exception No. 80-S-023 in the name of Virginia Concrete Company, Inc., located as Tax Map 77-3 ((1)) part of 11, pursuant to Section 5-604 of the Fairfax County Zoning Ordinance, by requiring conformance with the following development conditions:

1. This Special Exception is granted for the location indicated in the application and is not transferable to other land.
2. This Special Exception is granted for the buildings and uses indicated on the plats submitted with the application only.
3. A copy of this Special Exception SHALL BE POSTED in a conspicuous place along with the Non-Residential Use Permit on the property of the use and be made available to all departments of the County of Fairfax during hours of operation of the permitted use.
4. A site plan shall be submitted and approved in accordance with the provisions of Article 17 prior to the issuance of a building permit. The site plan submitted shall meet the parking and landscaping standards set forth in the Zoning Ordinance.
5. The operation of the plant, not including access road or drainage facilities is to be limited to the I-6 zoned area. The balance of the total property owned by the applicant (11.9835 acres) is to be retained in its natural wooded appearance as a buffer for adjoining properties.

6. A gate with attached traffic barrier is to be installed on the access road within 150 feet of Ox Road (Route 123) near the end of curb and gutter on the access road. This gate is to be locked when the plant is not in operation to prevent trespassers from using the access road.
7. A six-foot high fence of wood or chain link material with interwoven opaque material is to be installed from existing security gate along the access road and existing wood line to the northeast corner of the industrially zoned land.
8. Evergreen trees are to be planted as an additional visual and noise barrier outside of the fence specified in Paragraph 7 above for a distance of approximately 250 feet. The type, height, and interval of evergreen trees are to be to the satisfaction of the County arborist and according to the direction of the Department of Environmental Management.
9. The Company is to make a noise attenuation study and take action by construction of a concrete wall or other sound barrier or other noise attenuation measures in the industrially zoned area between the truck washing location and the direction of adjoining residences to the north. The study and implementation of its results, subject to review by the Department of Environmental Management, will be finished within one year from the Board of Supervisors approval of this application.
10. The hours of operation of the facility shall not exceed the period of 6:30 A.M. to 7:00 P.M.
11. The parking facility shall be revised to provide for parking stalls which will accommodate the trucks based on the site.
12. Any part of the facility which currently lies in the R-1 zoned property shall be relocated to the I-6 zoned property, provided, however, the applicant shall have a period of one year to obtain administrative relief from the Zoning Administrator or Board of Zoning Appeals to allow encroachment of the portion of the existing water tank and related supportive structure on to the R-1 property or in the alternative to apply for rezoning to I-6 of the portion of the residential property upon which the encroachment is located.
13. This approval, contingent on the above noted conditions shall not affect required compliance with the provisions

of any applicable ordinances, regulations or adopted standards. This Special Exception shall not be valid until the required Residential/Non-Residential Use Permit is obtained through established procedures.

In addition, the Board waived the barrier and screening requirements for the transitional yard in the R-1 District.

Very truly yours,



Ethel Wilcox Register
Clerk to the Board

EWR/mg

cc: Mr. Patteson
Mr. Knowlton
Mr. Covington
Mr. Montenegro